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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

ROBERT HOSSFELD, individually, )  
and on behalf of others similarly situated, )

Plaintiff, )

v. )

ELEPHANT INSURANCE COMPANY, a )  
Delaware corporation, ELEPHANT )  
INSURANCE SERVICES, LLC, a )  
Delaware limited liability company, and )  
ADMIRAL GROUP, PLC, a foreign )  
corporation, )

Defendants. )

**Case No: 6:16-cv-00130-RP-JCM**

CLASS ACTION

PLAINTIFF'S NOTICE OF  
VOLUNTARY DISMISSAL  
WITHOUT PREJUDICE

**PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL OF COMPLAINT  
WITHOUT PREJUDICE**

TO THE HONORABLE JUDGE OF SAID COURT:

The Plaintiff, ROBERT HOSSFELD, herein files its Notice of Voluntary Dismissal  
without Prejudice:

MATERIAL FACTS

1. The Plaintiff filed suit against the Defendants, ELEPHANT INSURANCE COMPANY, , ELEPHANT INSURANCE SERVICES, LLC, and ADMIRAL GROUP, PLC, seeking to represent a putative class. Plaintiff respectfully asks this court to Voluntarily Dismiss this case without prejudice pursuant to F.R.C.P. 41 et seq.

NOTICE OF VOLUNTARY DISMISSAL

2. Plaintiff filed its complaint May 13, 2016. As of this date, no answer has been filed by the Defendants and no Motion for Summary Judgment is on file. Moreover, no Motion to Dismiss has been filed and the Defendants have not made an appearance in this case. Therefore, the Plaintiff has an unequivocal right to Voluntarily Dismiss this Case without prejudice to refiling of the same.
3. Pursuant to FRCP 41(a)(1)(A)(i), the Plaintiff need only file this notice; no other action is required and approval of this court or opposing counsel is not necessary for this case to be dismissed without prejudice. See also, *Williams v. Clarke*, 82 F.3d 270, 272 (8<sup>th</sup> Cir.1996). Therefore, Plaintiffs avers that this court must dismiss this case without prejudice to refilling of the same.

PRAYER

WHEREFORE, Plaintiff prays the Court to accept the notice of voluntary dismissal and dismiss this case without prejudice to refilling of the same.

Respectfully submitted,

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By: /s/ *Brian J. Trenz*

Brian J. Trenz

Texas Bar No. 24067911

Attorney for Plaintiff

**STATEMENT REGARDING CERTIFICATE OF SERVICE**

Defendants have not been served and have not filed an answer in this case.

/s/ *Brian J. Trenz*

Brian J. Trenz